

**STAFF REPORT
ZONING BOARD OF ADJUSTMENT**

**Thursday, February 14, 2019
9:00 a.m.
Room 105 Courthouse Annex
Cascade County Commissioners Chambers**

Applicant/Subject Property Information

Name of Applicant:	Montana Fish, Wildlife and Parks
Name of Owner:	State of Montana PO Box 200701 Helena, MT 59620
Geo Code:	02-3139-33-3-02-04-0000
Parcel Number:	0002713400
Existing Zoning:	Open Space (OS)
Requested Action:	land use contrary to zoning regulations, pursuant to MCA 76-2-405
Adjacent Land Zoning:	North: Open Space (OS) South: BNSF Rail/ Heavy Industrial (I-2) East: Open Space (OS) West: Open Space (OS)
Adjacent Land Uses:	North: Parkland South: Railway and industrial use East: Parkland West: Parkland
Existing Land Use:	Montana Fish, Wildlife and Parks Region 4 Headquarters
Applicable Regulations:	Montana Code Annotated 76-2-402

General Information:

The Cascade County Zoning Board of Adjustment is in receipt of a request from Montana Fish, Wildlife and Parks (MTFWP) to use land contrary to County Zoning Regulations for the Open Space (OS) District. MTFWP proposes an expansion of their

existing Region 4 Headquarters offices. The expansion consists of a new 2,229 square foot office building and a 1,000 square foot storage building. A Location Conformance Permit application could not be issued by planning staff since an office building is not an allowed use in an the Open Space (OS) District.

Pursuant to MCA 76-2-402, whenever an agency proposes to use public land contrary to local zoning regulations, a public hearing, as defined below, shall be held.

(1) The local board of adjustments, as provided in this chapter, shall hold a hearing within 30 days of the date the agency gives notice to the board of its intent to develop land contrary to local zoning regulations.

(2) The board shall have no power to deny the proposed use but shall act only to allow a public forum for comment on the proposed use.

Attachments: LC Permit Application, Site Plans, Zoning Map, Copy of §7.6 of the Cascade County Zoning Regulation, and a Copy of Montana Code Annotated §76-2-402.